

1 UNITED STATES BANKRUPTCY COURT  
2 SOUTHERN DISTRICT OF NEW YORK  
3 - - - - - x  
4 In the Matter of: x Chapter 11  
5 LEHMAN BROTHERS HOLDINGS INC., x Case No. 08-13555(SCC)  
6 ET AL., x  
7 x (Jointly Administered)  
8 Debtors. x  
9 - - - - - x  
10 In the Matter of: x  
11 x  
12 LEHMAN BROTHERS HOLDINGS INC., x Case No. 08-01420(SCC)  
13 x  
14 Debtor. x (SIPA)  
15 - - - - - x

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U.S. Bankruptcy Court  
One Bowling Green  
New York, New York

April 24, 2014  
10:04 AM

B E F O R E :  
HON. SHELLY C. CHAPMAN  
U.S. BANKRUPTCY JUDGE

1 HEARING Re Three Hundred Ninety-Fourth Omnibus Objection to  
2 Claims (Value Derivative Claims)[ECF No. 34728]

3  
4 HEARING re Trustee's Sixty-Second Omnibus Objection to  
5 General Creditor Claims (No Liability Claims)[LBI ECF No.  
6 6131]

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8 HEARING re Trustee's Sixty-Sixth Omnibus Objection to  
9 General Creditor Claims (No Liability Claims)[LBI ECF No.  
10 6157]

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12 HEARING re Trustee's Seventy-Sixth Omnibus Objection to  
13 General Creditor Claims (No Liability Claims)[LBI ECF No.  
14 6295]

15  
16 HEARING re Trustee's Eightieth Omnibus Objection to General  
17 Creditor Claims (No Liability Claims)[LBI ECF No. 6341]

18  
19 HEARING re Trustee's Eighty-Eighth Omnibus Objection to  
20 General Creditor Claims (No Liability Claims)[LBI ECF No.  
21 6566]

22  
23 HEARING re Trustee's Ninety-Fifth Omnibus Objection to  
24 General Creditor Claims (No Liability Claims)[LBI ECF No.  
25 6682]

1 HEARING re Trustee's Ninety-Eighth Omnibus Objection to  
2 General Creditor Claims (No Liability Claims)[LBI ECF No.  
3 6699]  
4

5 HEARING re Trustee's One Hundred Sixth Omnibus Objection to  
6 General Creditor Claims (No Liability Claims)[LBI ECF No.  
7 6811]  
8

9 HEARING re Trustee's One Hundred Eighteenth Omnibus  
10 Objection to General Creditor Claims (No Liability  
11 Claims)[LBI ECF No. 6906]  
12

13 HEARING re Trustee's One Hundred Twentieth Omnibus Objection  
14 to General Creditor Claims (No Liability Claims)[LBI ECF No.  
15 6918]  
16

17 HEARING re Trustee's One Hundred Twenty-Fourth Omnibus  
18 Objection to General Creditor Claims (No Liability  
19 Claims)[LBI ECF No. 7008]  
20

21 HEARING re Trustee's One Hundred Thirty-Ninth Omnibus  
22 Objection to General Creditor Claims (No Liability  
23 Claims)[LBI ECF No. 7279]  
24

25 HEARING re Trustee's One Hundred Forty-Eighth Omnibus

1 Objection to General Creditor Claims (No Liability  
2 Claims)[LBI ECF No. 7399]

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4 HEARING re Trustee's One Hundred Fifty-Seventh Omnibus  
5 Objection to General Creditor Claims (No Liability  
6 Claims)[LBI ECF No. 7582]

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25 Transcribed by: Dawn South

1 A P P E A R A N C E S :

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3 Attorneys for LBHI

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7 BY: SUNNY SINGH, ESQ.

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9 HUGHES HUBBARD & REED LLP

10 Attorneys for the SIPA Trustee

11 One Battery Park Plaza

12 New York, NY 1004-1482

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14 BY: JEFFREY S. MARGOLIN, ESQ.

15 MEAGHAN C. GRAGG, ESQ.

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P R O C E E D I N G S

THE COURT: Please have a seat. How's everybody  
today?

UNIDENTIFIED SPEAKER: Fine, Your Honor.

THE COURT: All right, I'm ready when you are.

MR. SINGH: Good morning, Your Honor --

THE COURT: Good morning.

MR. SINGH: -- Sunny Singh from Weil, Gotshal &  
Manges on behalf of Lehman Brothers Holdings Inc. and its  
Chapter 11 estates -- affiliated Chapter 11 estates. Excuse  
me.

Your Honor, we filed an amended agenda yesterday,  
and if it's okay with you I'll just --

THE COURT: Sure.

MR. SINGH: -- go down the order of the agenda.

THE COURT: Uh-huh.

MR. SINGH: The first item on the agenda, Your  
Honor, is plan administrator's three hundred and ninety-  
four omnibus objection to claims --

THE COURT: Right.

MR. SINGH: -- which is only going forward as to  
Golden State Tobacco.

Golden State Tobacco filed a response to the  
objection to its four claims and the parties have since  
worked together to come to an agreement on the modified

1 amounts.

2 THE COURT: Okay.

3 MR. SINGH: I have a supplemental order for Your  
4 Honor to -- to -- reflect the allowed amounts --

5 THE COURT: Okay.

6 MR. SINGH: -- as agreed by the parties --

7 THE COURT: Very good.

8 MR. SINGH: -- that I can submit to chambers.

9 Your Honor, that's actually the only matter on the  
10 LBHI --

11 THE COURT: All right.

12 MR. SINGH: -- portion and so I'll turn it over  
13 to --

14 THE COURT: Right. Is anyone here who would like  
15 to be heard on behalf of Golden State Tobacco Securitization  
16 Corporation?

17 Okay, very good.

18 MR. SINGH: Thank you, Your Honor.

19 If I may be excused, Your Honor, that's the only  
20 portion --

21 THE COURT: Yes, thank you very much.

22 MR. SINGH: -- of the LBHI. Thank you.

23 MR. MARGOLIN: Good morning, Your Honor --

24 THE COURT: Good morning.

25 MR. MARGOLIN: -- Jeffrey Margolin, Hughes Hubbard

1 & Reed for Mr. Giddens, the SIPA Trustee.

2 Your Honor, this morning we have a group of  
3 omnibus objections to general creditor claims --

4 THE COURT: Right.

5 MR. MARGOLIN: -- asserted against the LBI estate.  
6 Those matters are going to be handled by my colleague,  
7 Meaghan Gragg.

8 THE COURT: Okay. Thank you.

9 MR. MARGOLIN: Thank you.

10 MS. GRAGG: Good morning, Your Honor --

11 THE COURT: Good morning.

12 MS. GRAGG: -- Meaghan Gragg of Hughes Hubbard &  
13 Reed for the SIPA Trustee.

14 On the calendar we have 14 omnibus objections to  
15 which the trustee has received responses. The trustee's  
16 sixty-second, sixty-sixth, seventy-sixth, eightieth, eighty-  
17 eighth, ninety-fifth, ninety-eight, a hundred and sixth, a  
18 hundred and eighteenth, a hundred and twentieth, a hundred  
19 and twenty-fourth, a hundred thirty-ninth, a hundred and  
20 forty-eighth, and a hundred and fifty-seventh omnibus  
21 objections by which the trustee objected to the following  
22 types of claims at issue today.

23 Claims by holders of securities issued by LBHI  
24 pursuant to indentures, claims by holders of securities  
25 issued by LBHI as part of a medium term note program, claims



1 by holders of preferred stock in LBHI, and claims by holders  
2 of securities that were issued by various Lehman Brothers  
3 Holdings capital trust pursuant to indentures.

4 The claims, the responses, the documentation  
5 provided by the claimants and publicly available documents  
6 filed with the SEC all show that the claim securities were  
7 not issued or guaranteed by LBI.

8 The 14 objections cover 393 claims, the trustee  
9 did not receive any response with respect to 371 of those  
10 claims.

11 In an effort to resolve the 22 responses that the  
12 trustee did receive without involving the Court the  
13 trustee's counsel contacted each respondent, 4 of the  
14 respondents withdrew, we've adjourned the hearing date for  
15 2 of the respondents because they raised additional issues  
16 that we are analyzing, the other 16 respondents have  
17 continued to press their claims.

18 THE COURT: So those 16 are what are before us  
19 today.

20 MS. GRAGG: Yes.

21 THE COURT: Okay. And there are no -- there are  
22 no guarantee obligations back and forth between LBI and LBHI  
23 that implicate these claims?

24 MS. GRAGG: No.

25 The trustee's financial advisor, Deloitte is here

1 today. Deloitte filed declarations in support of the  
2 omnibus objections and our reply should the Court have any  
3 questions regarding the declarations.

4 THE COURT: All right. Are any of the 16  
5 remaining objectors here or wish to be heard?

6 Is anyone on the telephone who wishes to be heard  
7 with respect to any of the omnibus objections that have been  
8 listed on the record?

9 I'm looking at the roster of who's on the  
10 telephone, it's Mr. Farkas from RBS Securities, Mr. Iyer  
11 from Canyon Partners, and Mr. Webster from Stutman,  
12 Treister, so it does not appear that anyone has appeared  
13 telephonically.

14 In the absence of any further argument and based  
15 on the record with respect to these omnibus objections I'm  
16 going to grant the objections with respect to these  
17 remaining 16 claims.

18 MS. GRAGG: Thank you. We've filed proposed  
19 orders and will provide copies to your law clerk after the  
20 hearing.

21 THE COURT: Okay, very good.

22 I think that's all we have for this morning if I'm  
23 not mistaken.

24 MS. GRAFF: Yep.

25 THE COURT: All right, very good. Thank you for

1 coming in.

2 MS. GRAFF: Thank you.

3 (Recess at 10:09 a.m.)

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RULINGS

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Three Hundred Ninety-Fourth Omnibus

Objection to Claims (Value Derivative Claims)

[ECF No. 34728] 7 17

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C E R T I F I C A T I O N

I, Dawn South, certify that the foregoing transcript is a true and accurate record of the proceedings.

Dawn  
South

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Date: April 28, 2014